

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



MAR 25 2004

PTO/SB/92 (08-03)

Approved for use through 07/31/2006. OMB 0561-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 23, 2004.  
Date

  
Signature

SUSAN DURKEE

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

10/659869  
BB1294USCNT  
INFORMATION DISCLOSURE STATEMENT  
COPIES OF PTO/SB/08 & PTO-892 FORMS  
POSTCARD

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## IN THE APPLICATION OF:

REBECCA E. CAHOON ET. AL.

CASE NO.: BB1294USCNT

APPLICATION NO.: 10/659869

CONFIRMATION NO.:

GROUP ART UNIT: 1638

EXAMINER: UNKNOWN

FILED: SEPTEMBER 11, 2003

FOR: PLANT MYB TRANSCRIPTION FACTOR HOMOLOGS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with 37 CFR 1.97 and 1.98, Applicants bring to the attention of the U.S. Patent and Trademark Office before any action on the merits the information listed on the enclosed PTO/SB/08 and PTO-892 Forms.

Benefit of the earlier filing date of U.S. Patent Application No. 10/021,811, filed December 14, 2001 is claimed under 35 U.S.C. 120 for the above-referenced application and only copies of information not previously made of record in the parent are enclosed.

Should any fee be required in connection with the filing of this Information Disclosure Statement, please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,

**LORETTA F. SMITH**  
ATTORNEY FOR APPLICANTS  
Registration No.: 45,116  
Telephone: (302) 992-2151  
Facsimile: (302) 892-1026

Dated: 22 March 2004

Enclosures

Notice of References Cited

MAR 25 2004

PTO-146

U.S. PATENT & TRADEMARK OFFICE

Application/Control No.

10/021,811

Applicant(s)/Patent Under  
Reexamination  
CAHOON ET AL.

Examiner

Medina A Ibrahim

Art Unit

1638

Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-			
B	US-			
C	US-			
D	US-			
E	US-			
F <sub>1</sub>	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

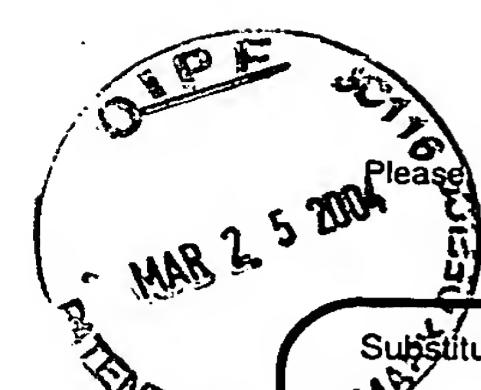
NON-PATENT DOCUMENTS

Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)

U	Lazar et al. Molecular and Cellular Biology, vol. 8(3), pages 1247-1252, 1988.
V	Broun et al. Science, vol. 282, 1998.
W	Science's Compass, Science, vol 292, pp. 1486-1487, 2001.
X	

copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Publication dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



Please type a plus sign (+) inside this box

→ +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
to respond to a collection of information unless it contains a valid OMB control number.

## Under the Paper

**Substitute for form 1449A/PTO**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet 1 of 1

<i>Complete if Known</i>	
Application Number	10/021,811
Filing Date	DECEMBER 14, 2001
First Named Inventor	JOAN T. ODELL ET AL.
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	BB1294 US DIV

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

Please type a plus sign (+) inside this box →

PTO/SB/08B(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

### Complete if Known

Application Number	10/021,811
Filing Date	DECEMBER 14, 2001
First Named Inventor	JOAN T. ODELL ET AL.
Group Art Unit	Unknown
Examiner Name	Unknown

Attorney Docket Number BB1294 US DIV

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		HARALD D. KRANZ ET AL., 1998, PLANT J., VOL. 16:263-276, TOWARDS FUNCTIONAL CHARACTERISATION OF THE MEMBERS OF THE R2R3-MYB GENE FAMILY FROM ARABIDOPSIS THALIANA	
		MICHAEL FELDBRUGGE ET AL., 1997, PLANT J., VOL. 11:1079-1093, PCMYB1, A NOVEL PLANT PROTEIN CONTAINING A DNA-BINDING DOMAIN WITH ONE MYB REPEAT, INTERACTS IN VIVO WITH A LIGHT-REGULATORY PROMOTER UNIT	
		DAVID JACKSON ET AL., 1992, PLANT CELL, VOL. 3(2):115-125, EXPRESSION PATTERNS OF MYB GENES FROM ANTIARRHINUM FLOWERS	
		JAVIER PAZ-ARES ET AL., 1987, EMBO J., VOL. 16:3553-3558, THE REGULATORY C1 LOCUS OF ZEA MAYS ENCODES A PROTEIN WITH HOMOLOGY TO MYB PROTO-ONCOGENE PRODUCTS AND WITH STRUCTURAL SIMILARITIES TO TRANSCRIPTIONAL ACTIVATORS	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 1002800, 05-27-1997, G. ITURRIAGA ET AL., A FAMILY OF NOVEL MYB-RELATED GENES FROM THE RESURRECTION PLANT CRATEROSTIGMA PLANTAGINEUM ARE SPECIFICALLY EXPRESSED IN CALLUS AND ROOTS IN RESPONSE TO ABA OR DESICCATION	
		GABRIEL ITURRIAGA ET AL., PLANT MOL. BIOL., VOL. 32(4):707-716, 1996, A FAMILY OF NOVEL MYB-RELATED GENES FROM THE RESURRECTION PLANT CRATEROSTIGMA PLANTAGINEUM ARE SPECIFICALLY EXPRESSED IN CALLUS AND ROOTS IN RESPONSE TO ABA OR DESICCATION	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 1732513, 12-17-1996, G. XIA ET AL., IDENTIFICATION OF PLANT CYTOSKELETAL, CELL CYCLE-RELATED AND POLARITY-RELATED PROTEINS USING SCHIZOSACCHAROMYCES POMBE	
		GUIXIAN XIA ET AL., PLANT J., VOL. 10(4):761-769, 1996, IDENTIFICATION OF PLANT CYTOSKELETAL, CELL CYCLE-RELATED AND POLARITY-RELATED PROTEINS USING SCHIZOSACCHAROMYCES POMBE	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 1841475, 02-09-1998, A. UIMARI ET AL., MYB26: A MYB-LIKE PROTEIN OF PEA FLOWERS WITH AFFINITY FOR PROMOTERS OF PHENYLPROPANOID GENES	
		ANNE UIMARI ET AL., PLANT J., VOL. 12(6):1273-1284, 1997, MYB26: A MYB-LIKE PROTEIN OF PEA FLOWERS WITH AFFINITY FOR PROMOTERS OF PHENYLPROPANOID GENES	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 2832500, 02-03-1998, I. ROMERO ET AL., ONE HUNDRED R2R3-MYB GENES IN THE GENOME OF ARABIDOPSIS THALIANA	

Examiner Signature

Date Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box →

PTO/SB/08B(08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

2

of

2

### Complete if Known

Application Number	10/021,811
Filing Date	DECEMBER 14, 2001
First Named Inventor	JOAN T. ODELL ET AL.
Group Art Unit	Unknown
Examiner Name	Unknown

Attorney Docket Number BB1294 US DIV

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 82307, 07-24-1997, D. JACKSON ET AL., EXPRESSION PATTERNS OF MYB GENES FROM ANTIRRHINUM FLOWERS	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 3941480, 12-02-1998, H. D. KRANZ ET AL., TOWARDS FUNCTIONAL CHARACTERISATION OF THE MEMBERS OF THE R2R3-MYB GENE FAMILY FROM ARABIDOPSIS THALIANA	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 3941528, H. D. KRANZ ET AL., TOWARDS FUNCTIONAL CHARACTERISATION OF THE MEMBERS OF THE R2R3-MYB GENE FAMILY FROM ARABIDOPSIS THALIANA	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 1002796, 05-27-1997, G. ITURRIAGA ET AL., A FAMILY OF NOVEL MYB-RELATED GENES FROM THE RESURRECTION PLANT CRATEROSTIGMA PLANTAGINEUM ARE SPECIFICALLY EXPRESSED IN CALLUS AND ROOTS IN RESPONSE TO ABA OR DESICCATION	
		NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION GENERAL IDENTIFIER NO. 1002798, 05-27-1997, G. ITURRIAGA ET AL., A FAMILY OF NOVEL MYB-RELATED GENES FROM THE RESURRECTION PLANT CRATEROSTIGMA PLANTAGINEUM ARE SPECIFICALLY EXPRESSED IN CALLUS AND ROOTS IN RESPONSE TO ABA OR DESICCATION	
		ENRIQUETA MOYANO ET AL., 1996, PLANT CELL, VOL. 8:1519-1532, APPARENT REDUNDANCY IN MYB GENE FUNCTION PROVIDES GEARING FOR THE CONTROL OF FLAVONOID BIOSYNTHESIS IN ANTIRRHINUM FLOWERS	
		PEER BORK, GENOME RES., VOL. 10:398-400, 2000, POWERS AND PITFALLS IN SEQUENCE ANALYSIS: THE 70% HURDLE	
		SEQUENCE SEARCH RESULTS	

Examiner Signature

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.